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23456 7590 09/24/2007 WADDEY & PATTERSON, P.C. 1600 DIVISION STREET, SUITE 500 NASHVILLE, TN 37203			EXAMINER WHIPPLE, BRIAN P	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/617,136	Applicant(s) JUSZKIEWICZ, HENRY E.	
	Examiner Brian P. Whipple	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15, 17-34, 36-43, 45 and 47-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15, 17-34, 36-43, 45, and 47-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5, 7-15, 17-34, 36-43, 45, and 47-66 are pending in this application and presented for examination. Claims 6, 16, 35, 44, and 46 were cancelled by applicant's amendment received on 8/3/07.

Response to Arguments

2. Applicant's arguments filed 8/3/07 have been fully considered but they are not persuasive.

3. As to claim 1, Applicant argues Edson fails to disclose "a computer system interface that may communicate directly with a gateway device." Examiner points out that "a computer system interface that may communicate directly with a gateway device" does not appear as a limitation in claim 1. Claim 1 reads "a computer system interface; and a network/computer system interface module connected to the computer system interface and the network input interface" as disclosed by Edson (Col. 4, ln. 40-43). Additionally, Edson discloses "a computer system interface that may communicate directly with a gateway device" as well (Fig. 1; Col. 4, ln. 40-43).

4. As to claim 8, in response to applicant's argument that the disclosure does not describe the type of expansive use embodied in the Applicant's invention, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences

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would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

5. As to claim 17, Applicant argues that Edson discloses "a gateway providing an interface with in-home devices over networking media" as opposed to "a network/bridge device interface module connected to the network input interface and the legacy device interface." A gateway providing an interface with in-home devices over a network is a network/bridge device with an interface module to connect the network input interface and the legacy devices. Edson networks legacy devices such as appliances, telephones, computer, and video and audio equipment through a gateway (Col. 4, ln. 36-43).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the features described on pg. 25, ln. 15 - pg. 26, ln. 6) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

6. As to claim 29, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the wireless remote is fundamentally integrated into a complex system and a specialized use of a wireless remote within a digital communications and

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control system that allows for universal interconnection, communication, and control of consumer electronic devices in the digital domain) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. In response to applicant's argument that claim 33 overcomes the prior art in that the disclosure does not describe the type of expansive use embedded in the Applicant's overall invention, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

8. As to claim 40, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the features discussed on pg. 30, ln. 19 - pg. 31, ln. 10) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

9. As to claim 45, Applicant argues Bloomfield discloses "a router within the network to provide power to a device" as opposed to "a consumer electronics device itself

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[providing] power to other consumer electronics devices." Applicant is reminded that a router is a consumer electronics device, as is a facsimile device.

Additionally, in response to applicant's argument that Applicant's use allows consumer electronic devices to supply power to additional consumer electronics devices to help reduce the resource strain on the power network backbone, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., reducing the resource strain on the power network backbone) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

10. As to claim 49, Applicant argues "real time, synchronous, bi-directional" communication is not disclosed by Edson. Examiner respectfully disagrees. Real time, synchronous, bi-directional communication is inherent in the networked environment of Edson. Computers and other appliances communicate in such a manner, and it is critical for video and audio entertainment systems (Edson: Col. 4, ln. 31-43) to be in real time and synchronous in order to provide stable, coherent media to a user.

11. As to claims 50, 54, and 58, Applicant argues Edson discloses a "gateway providing an interface with in-home devices over networking media" as opposed to "a legacy bridge device comprising a legacy device interface." Examiner fails to see how a gateway providing an interface for in-home devices (such as computers, telephones, appliances, alarm systems, and audio and video entertainment systems; see Edson: Col. 4, ln. 36-43) is not a legacy bridge device comprising a legacy device interface.

Additionally, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the features of pg. 36, ln. 11 - 22) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

12. As to claim 66, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the wireless remote is fundamentally integrated into a complex system and a specialized use of a wireless remote within a digital communications and control system that allows for universal interconnection, communication, and control of consumer electronic devices in the digital domain) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from

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the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

13. As to claims 13 and 26, Applicant argues Edson does not disclose a device capabilities module connected to the network/electronic device interface module. Examiner points out that Edson discloses a communication application to control the router and firewall in order to prioritize and route various communications between internal and external devices (Col. 11, ln. 3-8). Inherently, the communication application knows the communication paths each device is capable of in the network and if a device is networked, as this is required to successfully route inside the network and to send data outside of the network.

14. As to claim 39, the arguments are not persuasive for the same reasons as discussed in reference to claim 1 above.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

16. Claims 1-5, 7, 17, 22, 26-27, 49-52, 54-55, 58-59, and 61 are rejected under 35 U.S.C. 102(e) as being anticipated by Edson, U.S. Patent No. 6,526,581 B1.

17. As to claim 1, Edson discloses a consumer electronics device communication and control system, comprising:

- a data network (Col. 5, ln. 36-37);

- a plurality of data network outlets connected to the data network (Abstract, ln. 11-12; Col. 7, ln. 58-64);

- a gateway device including a network input connector connected to one of the data network outlets, an Internet connector, and a gateway device network/Internet interface module connected to the network input connector and the Internet connector (Col. 5, ln. 58-63; Col. 6, ln. 22-26);

- a computer system interface (Col. 4, ln. 36-43); and

- a network/computer system interface module connected to the computer system interface and the network input interface (Col. 4, ln. 36-43).

18. As to claim 2, Edson discloses the gateway device further includes: a telephone system interface (Col. 4, ln. 31-35); and

- a gateway device network/telephone interface module connected to the telephone system interface and the network input interface (Col. 4, ln. 31-35; Col. 5, ln. 58-63).

19. As to claim 3, Edson discloses the gateway device further includes: a power input interface (Col. 8, ln. 66 – Col. 9, ln. 4);

an X-10 control module connected to the power input interface (Col. 8, ln. 46-49)

and

a network/X-10 device interface module connected to the X-10 control module and the network input interface (Col. 7, ln. 16-25; Col. 8, ln. 46-49).

20. As to claim 4, Edson discloses a power network (Col. 1, ln. 20-23; Col. 7, ln. 29-30);

a plurality of power network outlets connected to the power network (Col. 7, ln. 29-30), and

wherein the power input interface is connected to one of the power network outlets (Col. 7, ln. 29-30).

21. As to claim 5, Edson discloses the gateway device further includes: a wireless interface (Col. 4, ln. 31-35); and

a network/wireless device interface module connected to the wireless interface and the network input interface (Col. 4, ln. 31-35; Col. 6, ln. 43-46).

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22. As to claim 7, Edson discloses the gateway device further includes an upgradeable user interface module (Col. 9, ln. 10-13, 15-19, and 25-27) and an upgradeable firewall module (Col. 9, ln. 9-10, 25-27, and 59-63).

23. As to claim 17, Edson discloses a consumer electronics device communication and control system, comprising: a data network (Col. 5, ln. 36-37);

a plurality of data network outlets connected to the data network (Abstract, ln. 11-12; Col. 7, ln. 58-64); and

a legacy bridge device including a network input interface connected to one of the data network outlets, a legacy device interface, and a network/bridge device interface module connected to the network input interface and the legacy device interface (Abstract, ln. 1-7; Col. 7, ln. 44-54).

24. As to claim 22, the claim is rejected for the same reasons as claim 17 above.

25. As to claims 26, the claim is rejected for the same reasons as claim 13 above.

26. As to claim 27, Edson discloses the network/bridge device interface module includes a real time data transport protocol module (Col. 9, ln. 27-30).

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27. As to claim 49, Edson discloses a wireless network access device, comprising: a network input adapted to pass network data to and from a data network (Col. 4, ln. 31-43);

a wireless input/output port adapted to be wirelessly connected to a wireless device, the wireless input/output port adapted to pass wireless data to and from the wireless device (Col. 4, ln. 31-43); and

a real time, synchronous, bi-directional, digital data communications module connected to the network input, the communications module adapted to receive network data from the data network, to convert the network data into wireless data that is compatible with the wireless device, and to transmit the wireless data to the wireless device using the wireless input/output port, the communications module further adapted to receive wireless data from the wireless device, to convert the received wireless data into wireless network data, and to transmit the wireless network data to the data network (Col. 4, ln. 31-43).

28. As to claim 50, Edson discloses a legacy bridge device, comprising: a network input connector adapted to be connected to a data network (Col. 4, ln. 31-43);

a legacy device interface adapted to be connected to a legacy device (Col. 15, ln. 14-28);

a real time, synchronous, bi-directional, digital data communications module connected to the network input connector and the legacy device interface, the communications module adapted to receive digital network signals from the data

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network, to transform the digital network signals into legacy signals that are compatible with the legacy device, and to output the legacy signals to the legacy device using the legacy device interface, the communications module further adapted to receive legacy signals from the legacy device, to transform the legacy signals into digital network signals that are compatible with the data network, and to output the digital network signals to the data network (Col. 15, ln. 14-28).

29. As to claim 51, Edson discloses the legacy device interface includes conventional receiver connectors adapted to be connected to a conventional receiver (Col. 15, ln. 14-28).

30. As to claim 52, Edson discloses the legacy device interface is adapted to be connected to a legacy device outputting legacy digital data formatted according to a legacy digital data communication protocol (Col. 15, ln. 14-28); and

the digital data communications module is adapted to transform the legacy digital data into a network format that is compatible with a network digital data communication protocol (Col. 15, ln. 14-28).

31. As to claim 54, Edson discloses a legacy bridge device, comprising: a network input connector adapted to be connected to a data network (Col. 4, ln. 31-43);

a legacy device interface adapted to be connected to a legacy device (Col. 15, ln. 14-28);

a real time, synchronous, bi-directional, digital data communications module connected to the network input connector and the legacy device interface, the communications module adapted to receive digital network signals from the data network, to transform the digital network signals into legacy signals that are compatible with the legacy device, and to output the legacy signals to the legacy device using the legacy device interface (Col. 15, ln. 14-28).

32. As to claim 55, Edson discloses the legacy device is a speaker (Col. 15, ln. 14-28).

33. As to claim 58, Edson discloses a legacy bridge device, comprising: a network input connector adapted to be connected to a data network (Col. 4, ln. 31-43);

a legacy device interface adapted to be connected to a legacy device (Col. 15, ln. 14-28);

a real time, synchronous, bi-directional, digital data communications module connected to the network input connector and the legacy device interface, the communications module adapted to receive legacy signals from the legacy device, to transform the legacy signals into digital network signals that are compatible with the data network, and to output the digital network signals to the data network (Col. 15, ln. 14-28).

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34. As to claim 59, Edson discloses the legacy device is a CD player (Col. 1, ln. 26-34).

35. As to claim 61, Edson discloses the legacy device interface is adapted to be connected to a legacy device outputting legacy digital data formatted according to a legacy digital data communication protocol (Col. 15, ln. 14-28); and the digital data communications module is adapted to transform the legacy digital data into a network format that is compatible with a network digital data communication protocol (Col. 15, ln. 14-28).

Claim Rejections - 35 USC § 103

36. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

37. Claims 8-9, 13-15, 33-34, 36-39, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson as applied to claim 52 above, in view of Henry Juskiewicz, Nathan Yeakel, Shri Arora, Alexei Beliaev, Richard Frantz and Jason Flaks (Juskiewicz); MEDIA-ACCELERATED GLOBAL INFORMATION CARRIER; May 3, 2003, Revision 3.0C.

38. As to claim 8, the claim is rejected for the same reasons as claim 1 above.

Additionally, Edson discloses the invention substantially, but is silent on the network/electronic device interface module includes a MaGIC network/electronic device interface module.

However, Juskiewicz discloses the network/electronic device interface module includes a MaGIC network/electronic device interface module (Pg. 1-2; Juskiewicz states that "public releases of [the] document" go back to revision 1.0 on 9/18/99).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by using the MaGIC protocol as taught by Juskiewicz in order to utilize a reliable means of interfacing networking and audio equipment.

39. As to claim 9, Edson and Juskiewicz disclose the invention substantially as in parent claim 8, including the consumer electronic device further includes a network output interface connected to the network/electronic device interface module (Edson: Col. 6, ln. 51-56).

40. As to claim 13, Edson and Juskiewicz disclose the invention substantially as in parent claim 8, including the consumer electronic device further includes a device capabilities module connected to the network/electronic device interface module (Edson: Col. 11, ln. 3-8).

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41. As to claim 14, Edson and Juskiewicz disclose the invention substantially as in parent claim 8, including the consumer electronic device further includes a data source connected to the network/electronic device interface module (Edson: Col. 6, ln. 51-56).

42. As to claim 15, Edson and Juskiewicz disclose the invention substantially as in parent claim 8, including the consumer electronic device further includes an audio output device connected to the network/electronic device interface module (Edson: Col. 4, ln. 36-43).

43. As to claim 33, Edson discloses a gateway network device, comprising: a data network access port adapted to be connected to a data network (Col. 6, ln. 51-56);

an Internet access port adapted to be connected to an Internet (Col. 15, ln. 14-22);

a real time, digital data communications module connected to the data network access port and the Internet access port, the communications module adapted to transmit digital data received from the Internet to the data network in real time and to transmit digital data received from the data network to the Internet in real time (Col. 8, ln. 38-42; Col. 15, ln. 14-22).

Additionally, the claim is rejected for the same reasons as claim 8 above (see the combination of Edson and Juskiewicz to address the MaGIC protocol).

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44. As to claim 34, Edson and Juskiewicz disclose the invention substantially as in parent claim 33, but are silent on the communications module transmits and receives digital data using a fixed network sample rate.

However, Edens discloses the communications module transmits and receives digital data using a fixed network sample rate (Col. 10, ln. 4-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson and Juskiewicz by using a fixed network sample rate as taught by Edens in order to ensure that information will propagate from one device to another at consistent time intervals (Edens, Col. 10, ln. 11-19).

45. As to claim 36, Edson and Juskiewicz disclose the invention substantially as in parent claim 33, including a telephone system access port connected to the digital data communications module and adapted to be connected to a telephone system (Edson: Col. 14, ln. 39-48); and

wherein the digital data communications module is adapted to receive analog telephone signals from the telephone system, to convert the received analog telephone signals into digital received telephone signals, and to transmit the digital received telephone signals to the data network (Edson: Col. 14, ln. 39-48); and

the digital data communications module is adapted to receive digital network telephone signals from the data network, to convert the digital network telephone signals into analog network telephone signals, and to transmit the analog network telephone signals to the telephone system (Edson: Col. 14, ln. 39-48).

46. As to claim 37, the claim is rejected for the same reasons as claim 3 above.

47. As to claim 38, the claim is rejected for the same reasons as claim 5 above.

48. As to claim 39, Edson and Juskiewicz disclose the invention substantially as in parent claim 33, including a computer input port connected to the digital data communications module and adapted to be connected to a computer system (Edson: Col. 4, ln. 31-43); and

wherein the digital data communications module is adapted to receive computer signals from the computer system, to convert the computer signals into network formatted signals that are compatible with the data network, and to transmit the network formatted signals to the data network (Edson: Col. 4, ln. 31-43); and

the digital data communications module is adapted to receive network formatted signals from the data network, to convert the network formatted signals into computer formatted signals that are compatible with the computer system, and to transmit the computer formatted signals to the computer system (Edson: Col. 4, ln. 31-43).

49. Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson and Juskiewicz as applied to claim 9 above, in view of Oltman et al. (Oltman), U.S. Patent No. 6,785,226 B1.

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50. As to claim 10, Edson and Juskiewicz disclose the invention substantially as in parent claim 9, but are silent on the consumer electronic device further includes a network status module connected to the network input interface.

However, Oltman discloses the consumer electronic device further includes a network status module connected to the network input interface (Col. 11, ln. 18-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson and Juskiewicz by including a network status module in a consumer electronic device as taught by Oltman in order to monitor network status to detect and respond to changing network conditions such as link failure (Oltman, Col. 11, ln. 20-24).

51. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson and Juskiewicz as applied to claims 8 above, in view of Bloomfield et al. (Bloomfield), U.S. Patent No. 5,555,100.

52. As to claim 11, Edson and Juskiewicz disclose the invention substantially as in parent claim 8, including the consumer electronic device further includes: a power input interface (Edson: Col. 8, ln. 66 – Col. 9, ln. 4), but are silent on a power output interface; and a power monitoring and control module connected to the power input interface.

However, Bloomfield discloses a power output interface (Col. 4, ln. 15-22); and a power monitoring and control module connected to the power input interface (Col. 4, ln. 15-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson and Juskiewicz by using a power output interface as taught by Bloomfield in order to protect connected devices and the router from power surges through the use of the router alone as a power source (Bloomfield, Col. 4, ln. 15-22).

53. As to claim 12, Edson, Juskiewicz, and Bloomfield disclose the invention substantially as in parent claim 11, including the consumer electronic device further includes a power status module connected to the power input interface (Bloomfield: Col. 4, ln. 15-22).

54. Claims 18, 20-21, 25, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson as applied to claims 17 and 54 above, in view of Okawa et al. (Okawa), U.S. Publication No. 2002/0129154 A1.

55. As to claim 18, Edson discloses the invention substantially as in parent claim 17, but is silent on the legacy device interface includes an infrared legacy device interface and the network/bridge device interface module includes a network/infrared bridge device interface module.

However, Okawa discloses the legacy device interface includes an infrared legacy device interface and the network/bridge device interface module includes a network/infrared bridge device interface module (Abstract, ln. 1-10; [0007]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by utilizing infrared signals in a system bridging a legacy device and a network as taught by Okawa in order to enable the use of a standard form of wireless communication in order to limit the need for the installation and maintenance of wired communication.

56. As to claim 20, Edson discloses the invention substantially as in parent claim 18, including the legacy device interface includes a legacy speaker interface (Edson, Col. 1, ln. 26-34; Col. 7, ln. 35-42).

57. As to claim 21, Edson discloses the invention substantially as in parent claim 20, including the legacy speaker interface includes a speaker amplifier module (Col. 1, ln. 26-34).

58. As to claims 25 and 56, the claims are rejected for the same reasons as claim 18 above.

59. Claims 19 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson and Okawa as applied to claims 18 and 56 above, and further in view of Sandick et al. (Sandick), U.S. Patent No. 6,684,241 B1.

60. As to claim 19, Edson and Okawa disclose the invention substantially as in parent claim 18, but are silent on an infrared legacy device database module connected to the infrared network/infrared bridge device interface module.

However, Sandick discloses an infrared legacy device database module connected to the infrared network/infrared bridge device interface module (Abstract; Col. 7, ln. 13-24 and 30-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson and Okawa by using a legacy device database module communicating via infrared in a network as taught by Sandick in order to eliminate the need for labor-intensive manual configuration of multiple device types (Sandick, Col. 1, ln. 32-63).

61. As to claim 57, the claim is rejected for the same reasons as claim 19 above.

62. Claims 23, 28-31, 60, and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson as applied to claims 17 and 58 above, in view of Humpleman et al. (Humpleman), U.S. Patent No. 6,198,479 B1.

63. As to claim 23, Edson discloses the invention substantially as in parent claim 17, but is silent on the legacy device interface includes a legacy DVD player interface and the network/bridge device interface module includes a network/legacy DVD player interface module.

However, Humpleman discloses the legacy device interface includes a legacy DVD player interface and the network/bridge device interface module includes a network/legacy DVD player interface module (Abstract; Col. 23, ln. 45-59).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by bridging a DVD player and a network as taught by Humpleman in order to enable a control of home devices by a user connected to the devices through a home network (Humpleman, Col. 23, ln. 53-59) in order to enable devices to communicate with each other to perform a service (Humpleman, Abstract, ln. 7-11).

64. As to claim 28, Edson discloses the invention substantially as in parent claim 17, but is silent on the network/bridge device interface module includes a real time, bi-directional, fixed length, data transport protocol module.

However, Humpleman discloses the network/bridge device interface module includes a real time, bi-directional, fixed length, data transport protocol module (Col. 5, ln. 43-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by utilizing a real time, bi-directional, fixed length, data transport protocol in order to communicate across a network using a standard means of network communication.

65. As to claim 29, Edson discloses a consumer electronics device communication and control system, comprising: a data network (Col. 5, ln. 36-37);

a plurality of data network outlets connected to the data network backbone (Abstract, ln. 11-12; Col. 7, ln. 58-64);

a wireless network access device including a network input interface connected to one of the data network outlets, a wireless interface, and a network/wireless device interface module connected to the network input interface and the wireless interface (Col. 6, ln. 43-46; Col. 10, ln. 46-55).

Edson is silent on a wireless consumer electronics device remote control.

However, Humpleman discloses a wireless consumer electronics device remote control (Col. 1, ln. 48-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by using a remote control to control consumer electronic devices as taught by Humpleman in order to allow a homeowner to control and command several different devices using a single interface (Humpleman, Col. 1, ln. 50-52).

66. As to claim 30, the claim is rejected for the same reasons as claim 13 above.

67. As to claim 31, the claim is rejected for the same reasons as claim 9 above.

68. As to claim 60, the claim is rejected for the same reasons as claim 23 above.

69. As to claim 66, Edson discloses a system for communications and control of consumer electronic devices in a home comprising:

a plurality of network outlets installed in one or more walls of the home, at least some of the plurality of network outlets having a network-in and a network-out interface, each of the network outlets operatively interconnected to each of the other network outlets to define a network (Col. 4, ln. 31-43);

a plurality of the consumer electronic devices, each of the devices including a device interface module for communication of digital data and control data from at least one of the devices to at least one other of the devices (Col. 4, ln. 31-43);

each of the device interface modules in each of the plurality of consumer electronic devices connected to one of the network outlets (Col. 4, ln. 31-43);

a gateway/router device operatively connected to the network (Col. 4, ln. 31-43);

a wireless network access point connected to the network (Col. 4, ln. 31-43; Col. 6, ln. 43-46).

Edson is silent on at least one remote control device operatively connected to the wireless access point, the remote control device adapted to send control signals to at least one of the consumer electronic devices.

However, Humpleman discloses at least one remote control device operatively connected to the wireless access point, the remote control device adapted to send control signals to at least one of the consumer electronic devices (Col. 1, ln. 48-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by using a remote control to control consumer electronic devices as taught by Humpleman in order to allow a homeowner to control and command several different devices using a single interface (Humpleman, Col. 1, ln. 50-52).

70. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson as applied to claim 17 above, in view of Heuvelman, U.S. Publication No. 2003/0065803 A1.

71. As to claim 24, Edson discloses the invention substantially as in parent claim 17, but is silent on the legacy device interface includes a legacy plasma screen interface and the network/bridge device interface module includes a network/legacy plasma screen interface module.

However, Heuvelman discloses the legacy device interface includes a legacy plasma screen interface and the network/bridge device interface module includes a network/legacy plasma screen interface module ([0004]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by using a plasma screen in a system communicating with a network as taught by Heuvelman in order to display content to the user using a standard display medium.

72. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson and Humpleman as applied to claim 29 above, and further in view of Edens et al. (Edens), U.S. Patent No. 6,611,537 B1.

73. As to claim 32, Edson and Humpleman disclose the invention substantially as in parent claim 29, but are silent on the network/wireless device interface module includes a fixed network sample rate data transport protocol module.

However, Edens discloses the network/wireless device interface module includes a fixed network sample rate data transport protocol module (Col. 10, ln. 4-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson and Humpleman by using a fixed network sample rate data transport protocol as taught by Edens in order to ensure that information will propagate from one device to another at consistent time intervals (Edens, Col. 10, ln. 11-19).

74. Claims 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson, in view of Oltman et al. (Oltman), U.S. Patent No. 6,785,226 B1.

75. As to claim 40, Edson discloses a consumer electronics device, comprising: a device input adapted to be connected to a data network (Col. 4, ln. 31-43);

a synchronous, digital data communication interface connected to the device input, the communication interface adapted to communicate digital data to and from the data network using the device input (Col. 4, ln. 31-43; Col. 9, ln. 37-30); and

a data source connected to the digital data communication interface, the data source adapted to generate and transmit digital data to the digital data communication interface (Col. 4, ln. 31-43).

Additionally, the claim is rejected for the same reasons as claim 10 above (see the combination of Edson and Oltman as discussed for the network status module).

76. As to claim 41, Edson and Oltman disclose the invention substantially as in parent claim 40, including the data source is adapted to generate digital audio and control data and the digital data communication interface is adapted to communicate the digital audio and control data to the data network (Edson: Col. 15, ln. 14-22).

77. As to claim 42, Edson and Oltman disclose the invention substantially as in parent claim 40, including the data source is adapted to generate digital audio, video, and control data and the digital data communication interface is adapted to communicate the digital audio, video, and control data to the data network (Edson: Col. 15, ln. 14-22 and 26-28).

78. As to claims 43, the claim is rejected for the same reasons as claim 10 above.

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79. Claims 45 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson, in view of Bloomfield et al. (Bloomfield), U.S. Patent No. 5,555,100.

80. As to claim 45, Edson discloses a consumer electronics device, comprising: a device input adapted to be connected to a data network (Col. 15, ln. 14-28);

a real time, synchronous, digital data communications module connected to the device input, the communications module adapted to receive digital data from the data network in real time (Col. 15, ln. 14-28); and

an audio output device connected to the communications module and adapted to output audio based on the digital data (Col. 15, ln. 14-28).

Additionally, the claim is rejected for the same reasons as claim 11 above (see the discussion of power input/output and the combination of Edson and Bloomfield).

81. As to claim 47, the claim is rejected for the same reasons as claim 11 above.

82. As to claim 48, Edson and Bloomfield disclose the invention substantially as in parent claim 45, including a device output adapted to be output digital data to the second consumer electronics device (Edson: Col. 4, ln. 31-43).

83. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson as applied to claims 52 above, in view of Henry Juskiewicz, Nathan Yeakel, Shri Arora,

Alexei Beliaev, Richard Frantz and Jason Flaks (Juskiewicz); MEDIA-ACCELERATED
GLOBAL INFORMATION CARRIER; May 3, 2003, Revision 3.0C.

84. As to claim 53, the claim is rejected for the same reasons as claim 8 above.

85. Claims 62 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Edson as applied to claims 61 above, in view of Edens.

86. As to claim 62, Edson discloses the invention substantially as in parent claim 61,
but is silent on the legacy digital data communication protocol is an AES/EBU digital
data communication protocol.

However, Edens discloses the legacy digital data communication protocol is an
AES/EBU digital data communication protocol (Col. 93, ln. 2-9).

It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify the teachings of Edson by using the AES/EBU protocol as taught by
in order to make use of a standard protocol for communicating audio data to network
devices (Edens, Col. 93, ln. 2-9).

87. As to claim 65, Edson discloses the invention substantially as in parent claim 61,
but is silent on the legacy digital data communication protocol is a Firewire digital data
communication protocol.

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However, Edens discloses the legacy digital data communication protocol is a Firewire digital data communication protocol (Col. 5, ln. 16-22; Col. 7, ln. 48-56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by using the Firewire protocol as taught by Edens in order to make use of a standard protocol to quickly move data between personal computers and peripherals (Edens, Col. 5, ln. 16-22) in a network (Edens, Col. 7, ln. 48-56).

88. Claim 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson as applied to claim 61 above, in view of Rao et al. (Rao), U.S. Patent No. 6,253,293 B1.

89. As to claim 63, Edson discloses the invention substantially as in parent claim 61, but is silent on the legacy digital data communication protocol is an S/PDIF digital data communication protocol.

However, Rao discloses the legacy digital data communication protocol is an S/PDIF digital data communication protocol (Col. 2, ln. 16-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by using the S/PDIF protocol as taught by Rao in order to make use of a standard protocol for the compression and decompression of audio data (Rao, Col. 2, ln. 16-21) in order to provide for more efficient use of resources in a network.

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90. Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson as applied to claim 61 above, in view of Poimboeuf et al. (Poimboeuf), U.S. Patent No. 6,067,411.

91. As to claim 64, Edson discloses the invention substantially as in parent claim 61, but is silent on the legacy digital data communication protocol is a Light Pipe digital data communication protocol.

However, Poimboeuf discloses the legacy digital data communication protocol is a Light Pipe digital data communication protocol (Col. 9, ln. 28-31; ADAT is the ADAT Lightpipe protocol).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edson by using the Light Pipe protocol as taught by Poimboeuf in order to make use of a standard protocol to output signals to ADAT type interfaces (Poimboeuf, Col. 9, ln. 38-39).

Conclusion

92. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

93. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

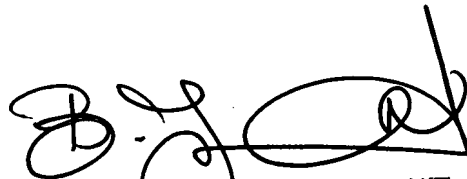
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Brian P. Whipple
9/9/07


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